REMARKS

Claims 1-29 are pending, and the independent claims are claims 1, 11, 22, 24, and 28. All claims are rejected as anticipated by *Kim et al.* (US2003/0139175). All of the independent claims are now amended, without introducing any new matter, in order to clarify the subject matter to be protected.

The *Kim* Reference

Kim relates to a system for remotely controlling a mobile terminal in a mobile communication system. In general, a mobile terminal to be remotely controlled receives a control command through a call link and performs an operation according to the received control command. An Internet Service Provider (ISP), which includes a remote control emulator, transmits the mobile terminal remote control command to the mobile terminal through a call link. The control command is transmitted upon receipt thereof through a user interface of the remote control emulator.

Kim is relevant to the present application. However, the analysis of the Office Action does not take into account several factors. In the following, the teaching of *Kim* will be described in detail in order to develop significant differences.

The system of *Kim* includes in principle a "Client_T", which is a remote control requesting client, and a "Server_T", which is a remote control serving terminal. This means, the Client_T is used to remotely control one or more operations of the Server_T, which is capable to return a remote control result in consequence to a reception of a remote control request. The Client_T can be a mobile terminal (160) or a computer (160); whereas the Server_T is a mobile terminal (170).

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Two different methodologies are presented by *Kim*. The first one is called "one-sided type" described with reference to Figs. 8a, 8b to 9 and the other one is called "interactive type" described with reference to Figs. 11 to 16.

The first type (page 8, section [0112] to page 9, section [0120]) proposes a remote control of a mobile terminal (Server_T) through SMS call on a one-side basis. The user of the Client_T, i.e. the mobile terminal (160) or the computer (150), accesses the Internet Service Provider (ISP, 140), which drives the mobile station (MS) remote control web emulator (145) applicable with the Server_T, i.e. the mobile terminal (170) to be remotely controlled. The Client_T can establish a communication connection to the ISP (140) via a BSC/BTS (109), a MSCNLR (107), and a message center (MC, 103) or via an IWF (110) or directly (computer to ISP) (cf. page 3 sections [0042] to [0046]). On the basis of a user interface of the emulator (145) the user is enabled selecting functions which are translated in remote control (RC) operations requested by the user. In response the a user input the ISP (140) created a remote control (RC) message, which is transmitted to the Server_T. The remote control message is received by the Server_T and supplied to a teleservice layer. In case the teleservice layer detects that the received message is a valid RC message, the remote control command included in the RC message is performed and a creates a result message including the results obtained in response to the command performing. The result message is transmitted back to the ISP (140) and provided thereby to the Client_T. The RC message as well as the result message has a well-defined format, preferably coded on the basis of a short message service (SMS) standard; cf. description referring to Figs. 5 to 6b.

The latter type (generally: page 9, section [0121] to page 13, section [0159]; especially: page 9, section [0121] to page 10, section [0127]) proposes an interactive remote control. Again, the user of the Client_T, i.e. the mobile terminal (160) or the computer (150), accesses the Internet Service Provider (ISP, 140) providing the remote control web emulator (145), which is driven by the Client_T. In particular with reference to page 9, section [0122], the communication between remote control web emulator (145)' and the Server_T is communicated through the message center (MC, 103). This aspect is also emphasized with respect to the operation of the

Server_T described in detail on page 10, sections [0126] and [0127]. In analogy to the above described basic concept to Dl, remote control commands are transmitted to the Server_T and "process results" in response to the remote control commands processed by the Server_T are received by the web emulator (145) to be presented thereby to the user causing upon input the transmission of the remote control commands. In order to enable the transmission of the remote control commands, a phone number of the Server_T (e.g. the phone number) is inputted. The Server_T receives the remote control commands coded as RC messages, which RC commands are converted into mobile station (MS) user interface signals to emulate control commands received through the user interface of the Server_T. A result message is created on the basis of the result of the user command emulation and transmitted to the web emulator (145).

It should be noted that the above description illustrates the basic concept of *Kim*. Details about acknowledgement communications between the Server_T and the web emulator (145), the coding of the messages exchanged therebetween and the parsing to the messages on the side of the Server_T and the web emulator (145) are omitted.

Nevertheless, it should be noted that the subject matter of claim 2 of *Kim* defines a communication of remote control commands and remote control results through a voice call link between the ISP (140) and the Server_T; i.e. between the web emulator (145) provided by the ISP (140) and the mobile terminal (170) operated as Server_T. A support of such a voice call link based communication therebetween is not supported by the description of *Kim*. Consequently, a skilled person is not enabled to carry out this particular teaching.

The Innovation of the Present Claimed Invention

The basic concept of the present application is to provide a "simple" remote initiation methodology of applications operable on a remote terminal device by the means of an initiator terminal device. In principle, a sequence is dialed at the initiator terminal device. The sequence comprises a phone number of the remote terminal device and an application identifier, which

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indicates a remote application to be initiated for operation at the remote terminal device. The two-part sequence is transmitted in the call set-up request to the remote terminal device.

Putting aside the issue of whether *Kim* teaches solely a communication on the basis of messages or also a communication on the basis of a voice call link, the concept of *Kim* requires always an established communication connection; cf. Fig. 8b, operations 829, 831; Fig. 9, operations 901, 927; Fig. 11, operations 1114, 1115, and 1116; Fig. 12, operations 1210, 1213 and the corresponding description referring thereto.

The primary advantage of the present invention is that the call set-up request is the initial request, which is transmitted in order to signalize to the addressee that an establishment of a call is requested. This means the sequence, which codes the information required to identify the remote application to be initiated, is present already with the request to establish the call. A call establishment may or may not be operated subsequently. A corresponding disclosure is given on page 9, lines 27 to 36 of the field document or section [0049] of the disclosure of the present application.

With reference to the subject matter of the pending unamended claim 1, the "dialing" operations such as defined lack clarity since the operations described in the passages cited in the Office Action (cf. page 8, paragraph III and page 9, paragraph 125) might be understood as dialing operations.

With reference to the subject matter of the pending claim 5, the Office Action errs when assuming that the call set-up request of the present invention is comparable with the call set-up request as defined in *Kim*. In addition, it is respectfully noted that the cited passage on page 3, paragraph 48 of *Kim* relates to the set-up process performed between Client_T (terminal 160) and ISP (140, emulator 145), which servers as communication switching network entity between the Client_T and Server_T, whereas the cited passage on page 9, paragraph 125 of *Kim* relates to the communication between the web emulator (145) and the Server_T (170). A combination of these two teachings of *Kim* is not possible.
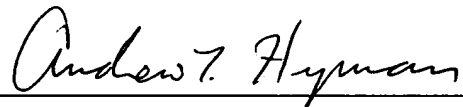
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In order to help overcome the objections in the Office Action, a clarification of the subject matter is appropriate, especially by amending the independent claims to include material from cancelled claim 5. The significant differences between the subject matter of the amended independent claims and *Kim*, Applicant respectfully refers the Examiner to the standard description of a GSM call set-up procedure, which is exemplary for call set-up procedures of the current and future cellular PLMNs.

CONCLUSION

Applicant respectfully submits that the amended claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the non-final Official Action having been shown to be inapplicable, retraction thereof is requested, and early passage of claims 1-29 to issue is earnestly solicited.

Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Respectfully submitted,

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